IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO. 20 OF 2004

WITH

SUIT NO. 2615 OF 2003

Dolcie Fernandes ... Petitioner

versus

Vasant Mavji Shah & ors. ... Respondents

...

Mr. S.M. Moholkar i/by C.R. Naidu & Co., for the Petitioner.

Mr. A.M. Saraogi, for the Respondent No. 1.

...

CORAM : A.M.KHANWILKAR,J.

3rd November 2004

P.C.:

. It is brought to my notice by the Counsel for the Petitioner that the amount, which was agreed to be paid to the Petitioner has been offered by the Respondent No. 1 by Pay Order in the sum of Rs.3,50,000/- (Rupees Three lakhs fifty thousand only) towards full and final settlement of the dispute between the parties

inter se. The Pay Order has been made over to the Counsel for the Petitioner. In the circumstances, nothing survives in this Contempt Petition. The same is disposed of.

. The Counsel for the Petitioner submits that since all the disputes have been amicably resolved between the parties inter se, the suit filed by the Petitioner may also be taken on Board and disposed of. The Counsel for the Respondents has no objection for adopting that course. In the circumstances, Suit No. 2615 of 2003 is taken on Board by consent. The same is allowed to be withdrawn in view of the settlement arrived at between the parties. Refund as per Rules.

. Pursuant to non-bailable warrants issued by this Court, the Respondents have deposited sum of Rs.25,000/- (Rupees Twenty five thousand only). It will be open to the Respondents to withdraw that amount.

. Interim relief which was granted during the pendency of the suit stands vacated forthwith by consent. It is agreed between the parties

that the Petitioner-plaintiff will execute all necessary documents as and when required, in relation to the agreement executed between the parties dated 12th February 1992.

. This order is passed in the presence of the Constituted Attorney of the Plaintiff, who states that he has instructions to make this statement on behalf of the Plaintiff.

. All concerned to act on the copy of this order duly authenticated by the Associate of this Court.

(A.M.KHANWILKAR,J.)